

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LARRY T. ZGURO,
Plaintiff

v.

THEODORE W. JOHNSON, *et al.*,
Defendants.

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No. 1:21-cv-00898

(Judge Rambo)

ORDER

In accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. 6) is **GRANTED**.
2. Plaintiff shall pay the full filing fee of \$350.00 based on the financial information provided in the application to proceed *in forma pauperis*. The full filing fee shall be paid regardless of the outcome of the litigation. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Plaintiff's place of confinement, is directed to deduct an initial partial filing fee of 20% of the greater of:
 - a. The average monthly deposits in the inmate's prison account for the past six months, or
 - b. The average monthly balance in the inmate's prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, 228 Walnut Street, P.O. Box 983, Harrisburg, PA 17108, to be credited to the above-captioned docket number. In each succeeding month, when the amount in Plaintiff's inmate trust fund account exceeds \$10.00, the Superintendent/Warden, or other appropriate official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Plaintiff's inmate trust fund account until the fees

are paid. Each payment shall reference the above-captioned docket number.

3. The Clerk of Court is **DIRECTED** to send a copy of this order to the Superintendent/Warden of the institution where Plaintiff is presently confined.
4. Plaintiff's complaint (Doc. 1) is **DISMISSED**.
5. The Court declines to exercise supplemental jurisdiction over any state law claims Plaintiff intended to allege in the complaint.
6. The Clerk of Court is directed to **CLOSE** this case.

S/Sylvia H. Rambo
United States District Judge

Dated: June 28, 2021